



January 11, 2017

The Honorable James Comey
Director of the Federal Bureau of Investigation
Federal Bureau of Investigation Headquarters
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

Dear Director Comey:

It is imperative for the American people to know everything we can about President-Elect Donald Trump's Cabinet nominees before the U.S. Senate votes to confirm. The Senate and federal government has a process that it has used for decades to review the nominees' financial information and background, including an FBI background check and an ethics review process with the Office of Government Ethics.

Already this year, Senate Majority Leader Mitch McConnell has tried to slam through Trump's nominees in the U.S. Senate by scheduling hearings for many of these nominees before the required vetting and background checks have been completed. This is a development that has been dangerous and has inhibited the U.S. Senate from performing its Constitutional duty to "advise and consent" on Executive Branch appointments.

To that end, I am writing you regarding testimony today from Rex Tillerson, nominee to be Secretary of State, before the U.S. Senate Committee on Foreign Relations. Mr. Tillerson, who was the CEO of ExxonMobil until he ended a 41-year career at the company at the end of 2016, was under oath when he testified: "I have never lobbied against sanctions, personally," and "To my knowledge, Exxon never lobbied directly against sanctions, not to my knowledge."

Those statements were immediately refuted by Senator Bob Corker, Chairman of the Senate Foreign Relations Committee, who said that Mr. Tillerson had in fact called him personally to lobby against sanctions, saying "It's my understanding, and I think you called me during this time, that your concern with the sanctions that were in place relative to Iran were not that they were put in place but that the Europeans had put them in a way that was different, and it caused an adverse situation for U.S. businesses relative to European businesses."

Further, ExxonMobil [filed a Lobbying Report](#) with the U.S. Congress under the Lobbying Disclosure Act of 1995 that disclosed \$4,070,000 in expenses due to lobbying in 2010. ExxonMobil specified "HR 1327: Iran Sanctions Enabling Act of 2009; provisions related to energy investments and sanctions" as an area in which they lobbied "U.S. Senate, U.S. House of Representatives, Interior – Dept of (DOI), Energy – Dept of, Executive Office of the President (EOP), State – Dept of (DOS), U.S. Coast Guard (USCG)."

I am attaching a list of additional Lobbying Reports that ExxonMobil has filed with the U.S. Congress that indicate ExxonMobil lobbied Congress on U.S. sanctions against Iran, Russia, and Libya.

[U.S. Code Section 1621, Title 18](#) says “Whoever— (1) having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or (2) in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury.” [U.S. Code Section 1001, Title 18](#) says “whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully— (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry” is guilty of perjury.

I respectfully request that the Federal Bureau of Investigation open an investigation into Mr. Tillerson’s testimony before the U.S. Senate Committee on Foreign Relations today to determine whether Mr. Tillerson lied under oath to Congress about his or ExxonMobil lobbying the federal government over U.S. sanctions against foreign countries.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Mackler", with a long, sweeping horizontal line extending to the right.

Jessica Mackler
President, American Bridge 21st Century